

HOUSE BILL No. 1047

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-28-2.

Synopsis: Change of name requirements. Requires that a petition for a change of name must: (1) include certain information for persons at least 17 years of age; (2) be subscribed and sworn to (or affirmed) under the penalties of perjury and before a notary public or other person authorized to administer oaths; and (3) be filed with the circuit court of the county in which the person resides. Specifies that a petition for a change of name for a person at least 17 years of age must include: (1) the person's date of birth; (2) the person's current residence address and, if different, mailing address; (3) the person's valid Indiana driver's license or identification card number; (4) a list of all previous names used by the person; (5) proof that the person is a United States citizen; (6) a statement concerning whether the person holds a valid United States passport; and (7) a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that have been entered against the person.

Effective: July 1, 2010.

Cheatham, Smith M

January 5, 2010, read first time and referred to Committee on Judiciary.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1047

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-28-2-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) The petition
3 described in section 1 of this chapter ~~may~~ **must**:

4 **(1) if applicable, include the information required by section**
5 **2.5 of this chapter;**

6 **(2) be subscribed and sworn to (or affirmed):**

7 **(A) under the penalties of perjury; and**

8 **(B) before a notary public or other person authorized to**
9 **administer oaths; and**

10 **(3) be filed with the circuit court of the county in which the**
11 person resides.

12 (b) In the case of a parent or guardian who wishes to change the
13 name of a minor child, the petition must be verified, and it must state
14 in detail the reason the change is requested. In addition, except where
15 a parent's consent is not required under IC 31-19-9, the written consent
16 of a parent, or the written consent of the guardian if both parents are
17 dead, must be filed with the petition.



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(c) Before a minor child's name may be changed, the parents or guardian of the child must be served with a copy of the petition as required by the Indiana trial rules.

SECTION 2. IC 34-28-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 2.5. If a person petitioning for a change of name under this chapter is at least seventeen (17) years of age, the person's petition must include at least the following information:**

- (1) The person's date of birth.
- (2) The person's current:
 - (A) residence address; and
 - (B) if different than the person's residence address, mailing address.
- (3) The person's valid:
 - (A) Indiana driver's license number; or
 - (B) Indiana identification card (as described in IC 9-24-16) number.
- (4) A list of all previous names used by the person.
- (5) Proof that the person is a United States citizen.
- (6) A statement concerning whether the person holds a valid United States passport.
- (7) A description of all judgments of criminal conviction of a felony under the laws of any state or the United States that have been entered against the person.

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